

REMARKS

In the application claims 1-4, 6, 9, 10, 12-15, 17, 18, 21, 23-26, and 28-44 remain pending. Claims 5, 7, 8, 11, 16, 19, 20, 22, and 27 have been canceled without prejudice. Various of the pending claims have been amended to better clarify what is regarded as the invention. Support for the amendments is found in the specification and figures as originally filed. No new matter has been added. In addition, claim 21 has been amended to depend from a non-canceled claim to thereby remove the outstanding rejection under 35 U.S.C. § 112.

The pending claims currently stand rejected under 35 U.S.C. § 102(e) as being anticipated by Duncan (U.S. Patent No. 6,549,133) and/or under 35 U.S.C. § 103 as being rendered obvious by Duncan alone or Duncan as modified by Weber (U.S. 6,803,874). The reconsideration of these rejections is respectfully requested.

Considering first Duncan, it is respectfully submitted that Duncan discloses a transmitter *having two modes of operation*.

In a first mode of operation, the transmitter transmits signals to only a single collar-mounted device on a single dog, i.e., activation of pushbutton switch 4 results in a transmission of a signal to cause a continuous stimulus level to be given to the single dog, activation of pushbutton switch 5 results in transmission of a signal to cause a fixed, predetermined interval of stimulation to be given to the single dog, and activation of pushbutton switch 6 results in the emission of an audible tone. (Col. 5, lines 12-32).

In a second mode of operation, each of the pushbutton switches 4, 5, and 6, if activated, transmits a single stimulus command to a different corresponding collar-mounted receiver unit mounted on the necks of one, two, or three dogs, respectively. (Col. 5, lines 35-45).

In Duncan, the transmitter can be switched between the first mode of operation and

the second mode of operation through use of a jumper connection. (Col. 5, lines 34-35).

While Duncan may disclose providing colors to pushbutton switches 4, 5, and 6, e.g., to thereby indicate which collars will receive a signal when the pushbutton switches *are activated in the second mode of operation*, it is respectfully submitted that Duncan fails to disclose, teach, or suggest causing the colors of the pushbutton switches *to be changed* as a function of a change in intended targets for the signals to be transmitted in response to activation of such pushbutton switches as is claimed. Rather, when Duncan is considered in its entirety as required, Duncan discloses, teaches, and suggests providing a color to a pushbutton switch such that, in a second mode of operation, the color functions to indicate one of plural intended target devices for a common signal and, in a first mode of operation, *the same color functions* to indicate one of plural signals for a common intended target device. Furthermore, in Duncan, *unless the user is aware of the state of the jumper connection*, the user will not know from the mere color provided to pushbutton switches 4, 5, and 6 to which device a signal is to be transmitted, e.g., the user may activate pushbutton switch 5 with the desire to send a signal to a dog collar having the corresponding color but may in fact, if unaware of the state of the jumper switch, send a signal to cause a fixed, predetermined interval of stimulation to be given to an unintended recipient dog.

From the foregoing it is respectfully submitted that Duncan fails to disclose, teach, or suggest the claimed aspect of a controlling device having programming for causing a function key to be associated with a one of a plurality of colors as a function of a one of a plurality of different appliances selected by the programming to receive a command when transmitted in response to activation of the function key, e.g., selected via activation of a device mode key. For at least this reason it is respectfully submitted that claims 1-4, 6, 9, 10, 12-15, 17, 18, 21, 23-26, and 28-38 are allowable over the art of record.

With respect to claims 38-44, it is respectfully submitted that Duncan has no

disclosure related to the claimed aspect of presenting cues that are associated with a plurality of appliances when setting up a *recipient appliance* to receive input from one of a plurality of appliances. As such, it is respectfully submitted that claims 38-44 are also allowable over the art of record.

CONCLUSION

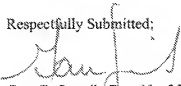
It is respectfully submitted that the application is in good and proper form for allowance. Such action on the part of the Examiner is respectfully requested.

Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully urged to contact the attorney undersigned.

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By:

Respectfully Submitted;


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